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GOVERNMENT OF GOA

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EXTRAORDINARY

No. 2

GOVERNMENT OF GOA

Department of Panchayati Raj &
Community Development

Directorate of Panchayats

Notification

26/126/DP/Scheme-Plastic Menace/2014/5387

Whereas section 4 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Act of 1997) enjoins a duty upon the local authority or any officer authorized by it to place or provide or place in proper and convenient situation the public receptacles for temporary deposit or collection of non-biodegradable garbage within its jurisdiction. It also lays down that local authority shall provide separate dust bins for different types of garbage and arrange for removal of the contents of receptacles/dust bins and arrange for recycling of non-biodegradable garbage;

And whereas, the collection and disposal of garbage within the jurisdiction of Panchayats needs to be given top priority so as to ensure the protection of the environment and ecosystem.

Now, therefore, Government of Goa, in public interest and for empowering the Panchayats by providing financial support to tackle garbage menace, is pleased to frame the following Scheme, namely:—

1. *Short title and commencement.*— (1) This Scheme may be called the Goa Panchayats (Grants to Tackle Garbage Menace) Scheme, 2014.

(2) It shall come into force from the date of its publication in the Official Gazette.

2. *Definitions.*— In this Scheme, unless the context otherwise requires,—

(a) “Act” means the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994);

(b) “Block Development Officer” means the Block Development Officer as defined in clause (1-A) of section 2 of the Act;

(c) “Director” means the Director as defined in clause (9) of section 2 of the Act;

(d) “Panchayat” means a Village Panchayat established under section 3 of the Act;

(e) “Government” means the Government of Goa;

(f) "Secretary" means the Secretary of the Panchayat, as defined in clause (20) of section 2 of the Act;

(g) Words and expressions used but not defined in this Scheme, shall have the same meaning as assigned to them in the Act.

3. *Purpose.*— The Scheme is aimed at empowering the Panchayats by providing financial assistance as grant-in-aid to enable the local bodies to more effectively discharge their duties and functions regarding collection, segregation, treatment and disposal of garbage within their jurisdiction.

4. *Adoption of resolution and submission of proposal by Panchayat.*— Any Panchayat which is desirous of availing financial assistance under this Scheme to tackle garbage menace shall adopt a resolution to that effect at its fortnightly meeting requesting the Director to sanction grants. Once the Panchayat adopts the resolution, within ten days therefrom, the Secretary shall prepare and submit to the Block Development Officer a complete proposal consisting of:—

(a) Application in the form as per Annexure-'A' appended to this Scheme;

(b) Certified copy of resolution requesting for grant of financial assistance under this Scheme;

(c) Certified copies of Annual Budgets of Panchayat for last three financial years;

(d) A detailed Statement listing all the developmental works or some community services which were hitherto provided/or are provided by the Panchayat within its jurisdiction;

(e) Details of total number of dwelling houses in the Panchayat area and plan for door to door collection of dry garbage, showing details of manpower/equipments required, etc. as may be felt necessary.

5. *Procedure to be followed by the Block Development Officer.*— Upon receipt of the proposal from the Secretary, the Block Development Officer shall scrutinize the same with assistance of Extension Officer (Rural Engineering)/Junior Engineer and submit the same to the Director either with or without his/her recommendations within fifteen days from the date of its receipt in the office of the Block Development Officer.

6. *Block Development Officer to certify whether applicant Panchayat is affected by garbage menace.*— While recommending the proposal under this Scheme, the Block Development Officer shall recommend to the Director whether the applicant Panchayat is affected by menace of garbage/plastic garbage and the priority for sanctioning grants to Panchayat under this Scheme.

7. *Scrutiny by Director.*— Upon receipt of the proposal from the B.D.O. under clause 5 above, the Director shall scrutinize the same and may approve the proposal and sanction the grants under this Scheme or may reject the proposal and inform the applicant Panchayat accordingly.

8. *Director shall be the grants sanctioning authority.*— The Director shall be the grants sanctioning authority and shall consider every proposal received under this Scheme and shall scrutinize and take decision whether the proposal is to be approved or rejected and shall decide on the sanction of grants under this Scheme. The decision of the Director shall be final.

9. *Amount of grants that may be sanctioned under the Scheme.*— The grants of Rs. 1,00,000/- (Rupees one lakh only) may be sanctioned to the Panchayat which shall be used by the Panchayat for the work of door to door collection, segregation and disposal of garbage including dry plastic garbage within its jurisdiction.

10. *Utilization of grants.*— The grants shall be sanctioned by the Director in advance, so

as to enable the applicant Panchayat to utilize the sanctioned grants for the work of door to door collection, segregation and disposal of garbage including dry plastic garbage within its jurisdiction within a period of one year from the date of sanction of grants.

11. *Director to convey approval.*— Once the proposal is approved, the Director shall issue an order conveying the approval and sanction of the grants to the concerned Panchayat through the respective Block Development Officer.

12. *Block Development Officer to draw and disburse the grants.*— Upon receipt of grants sanctioning order from the Director, the Block Development Officer shall prepare and submit necessary bill to the Directorate of Accounts and draw and disburse the grants to the concerned Panchayat.

13. *Grants shall be one time grants during one financial year.*— The grants sanctioned under this Scheme shall be a one time financial assistance during one financial year and the applicant Panchayat shall not be eligible for any further grants under this Scheme during same financial year.

14. *Panchayat to follow normal procedure for utilization of grants.*— The concerned Panchayat shall follow the normal procedure/Codal formalities as otherwise followed by the Panchayat for execution of developmental works or for such other activities in their routine functioning and the Codal formalities and the General Financial Rules shall be followed for utilization of the grants sanctioned under this Scheme.

15. *Grants shall be tied grants.*— The grant-in-aid sanctioned to any Panchayat under this Scheme shall be tied grants and shall be utilized only for the purpose for which it is sanctioned. The Panchayat shall utilize the grants for the purpose sanctioned within twelve months and shall submit Utilization Certificate within eighteen months from the date of sanction of grants under this Scheme.

16. *Utilization of grants and tackling garbage menace.*— (1) The Panchayat to whom grants are sanctioned under this Scheme shall utilize the grants within a period of one year from the date of sanction of grants. The grants may be utilized for the following works in connection with collection, segregation, treatment and disposal of garbage and after determining the workload and frequency of collection required for each ward based on the amount of non-biodegradable garbage it generates and broadly following the norms of one daily wage labourer for seventy-five houses each working day, employing the labour for collecting the garbage, and for separating it into non-biodegradable and biodegradable garbage.

(2) The bio-degradable garbage shall be disposed to any outside agency/contractor after following the prescribed procedure:—

(a) Panchayat may get prepared estimates of work of door to door collection of garbage from its wardwise jurisdiction and after obtaining technical sanction may follow prescribed tendering procedure to award this work to any outside agency/contractor by issuing work order. Panchayat shall ensure that work is executed properly by the agency as per terms and conditions of work order;

(b) Whenever, due to natural calamities or such other urgency situation it is not possible to follow prescribed tendering procedure, the Panchayat may utilize the grants sanctioned under this Scheme for payment of daily wages to labourers engaged for the work of door to door collection of garbage from its wardwise jurisdiction, for transportation charges, for providing tools like gloves, polythene bags, etc. for said work;

(c) The Secretary shall be personally responsible and liable to justify the urgency situation as mentioned in sub-clause (b) above;

(d) The grants so released under this Scheme shall also be utilized for making cages for collection of plastic, tricycles for collecting garbage, etc. However, purchase of bailing machines under this Scheme is prohibited.

17. *Grants not to be claimed as of right.*— The grants under this Scheme cannot be claimed as of right and it shall be the sole discretion of the grants sanctioning authority as to whether or not to sanction the grants.

18. *Panchayat to be made garbage free.*— The Panchayat shall, after utilizing the grants sanctioned under this Scheme, ensure that all households within its jurisdiction segregate garbage at source and the dry plastic garbage is collected by the Panchayat on daily/alternate days/weekly basis from door to door and the Panchayat area becomes free from dry plastic scattered in drains, gutters, bus stands, road sides or other public places. The Panchayat shall then inform the Block Development Officer that grants have been properly utilized for the purpose for which they were sanctioned and that the Panchayat has become dry plastic garbage free.

19. *Block Development Officer to inspect Panchayat area and certify.*— The Block Development Officer, upon receiving intimation under clause 18, may within fifteen days visit the Panchayat area alongwith Extension Officer (Rural Engineering)/Junior Engineer and inspect to find out whether dry plastic garbage is being properly collected by the Panchayat or not and shall accordingly submit the report to the Director on implementation of this Scheme and utilization of sanctioned grants by the Panchayat.

20. *Submission of Utilization Certificate and report pre-condition for sanctioning of subsequent grants.*— The Panchayat to whom grants are sanctioned under this Scheme during one financial year shall not be eligible for any subsequent grants during same financial year. However, any such Panchayat may apply for subsequent grants under this

Scheme in next financial year enclosing utilization certificate of previous grants and report from Block Development Officer prepared under clause 19 certifying that the Panchayat has become free from dry plastic scattered in drains, gutters, bus stands, road sides or other public places. No application for subsequent grants in next financial year shall be considered in absence of utilization certificate of previous grants and report from Block Development Officer prepared under clause 19 of this Scheme.

21. *Power to remove difficulties.*— The Director shall be empowered to take such decisions as may be deemed fit to remove any practical difficulties faced in implementation of this Scheme.

22. *Applicability and validity of the Scheme.*— This Scheme shall apply to all Panchayats in the State of Goa which are recommended by Block Development Officer as affected by menace of garbage/plastic garbage. The Scheme shall initially remain in force till 31-03-2017. However, the Government may extend the validity of the Scheme for such further period and on such terms and conditions, as may be decided by the Government from time to time.

23. This Scheme shall supersede the earlier Scheme notified vide Notification No. 17/137/DP-ACCT/Scheme/Plastic free Village/2007 dated 14-3-2007, published in the Official Gazette, Series I No. 52 dated 29-3-2007.

24. This Scheme is approved by the Finance Department and the concurrence of the Department of Finance, Government of Goa, was conveyed vide U. O. No. 2799/F dated 18-06-2014.

By order and in the name of the Governor of Goa.

Elvis Gomes, Director & ex officio Additional Secretary (Panchayats).

Panaji, 26th September, 2014.

ANNEXURE "A"

(See Clause 4)

Application for sanction of grants under the Goa Panchayats (Grants to Tackle Garbage Menace) Scheme, 2014

- (1) Name of Panchayat:
- (2) Address of Panchayat:
- (3) Category of Panchayat and number of elected Panchayat Members:
- (4) Details of assets owned by Panchayat:
- (5) Details of all developmental works executed by Panchayat during last 3 years:
- (6) Details of amount spent on garbage collection work during last 3 years:
- (7) Whether Panchayat has acquired garbage segregation site under GRGD Scheme, 2005; Give details of site/efforts made so far:
- (8) Detailed estimates of work of door to door garbage collection proposed to be undertaken from the grants which may be sanctioned under this Scheme;
- (9) Enclose certified copies of Annual Budget, Estimates.

This application is submitted as per resolution number adopted at fortnightly meeting held on / / 20__ by the Panchayat (certified copy enclosed).

Date:

Place:

Panchayat Secretary

Sarpanch

VERIFICATION

I, the undersigned Shri/Smt. Secretary of the Panchayat do hereby verify on oath that all information furnished in this application is true to my own personal knowledge and is in accordance with records

available in Panchayat Office. I further undertake to ensure that any grants which may be sanctioned under this Scheme shall be utilized in accordance with the terms of this Scheme and I shall abide by all terms and conditions of the Scheme.

Panchayat Secretary

Endorsement/Recommendation by Block Development Officer

Application is received in the office of Block Development Officer on / / 20__.

Inspection done by Extension Officer (Rural Engineering) on / / 20__.

Recommendation by Block Development Officer.

Applicant Panchayat is affected by menace of garbage/plastic garbage and the grants may be sanctioned on top priority to applicant Panchayat under this Scheme because this Panchayat has its own garbage segregation site. The application is duly recommended.

OR

Applicant Panchayat is affected by menace of garbage/plastic garbage and the grants may be sanctioned to applicant Panchayat under this Scheme. This Panchayat has made efforts to acquire its own garbage segregation site although till date they could not succeed in having own garbage site. The application is duly recommended.

OR

Applicant Panchayat is affected by menace of garbage/plastic garbage. However, this Panchayat has not made any serious efforts to acquire its own garbage segregation site. Hence, the grants may not be sanctioned to this applicant Panchayat under this Scheme. The application may kindly be rejected.

OR

Applicant Panchayat is not affected by menace of garbage/plastic garbage. Hence, the grants may not be sanctioned to this applicant Panchayat under this Scheme. The application may kindly be rejected.

Date:

Place:

Extension Officer Block Development
(Rural Engineering) Officer

DECISION BY DIRECTOR OF PANCHAYATS

Application is received in Directorate of Panchayats, Panaji on / /20 __ .

Application is approved/rejected for following reasons.

Date:

Place:

Director of Panchayats

Grants sanctioned vide Order No. dated

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